IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL REVISION APPLICATION NO. 107 OF 2006

Sudhaakr Haribhau Belwalkar ... Applicant.
V/s.
The State of Maharashtra ... Respondent.

Shri Abdul Kedar h/f Girish Kulkarni for the applicant.
Shri Rajesh More for the respondent.

CORAM: S.C.DHARMADHIKARI, J.
DATED: 21.12.2006.

P.C.:

. Heard learned Counsel for the applicant. Perused the application and the annexures thereto including the impugned order. The complainant could not prove that when alleged house trespass was committed he was in possession of the premises. Neither any document is produced to prove physical possession nor vendor- Smt. Mayadevi Singh or anybody else was examined to prove possession of the premises. In such circumstances, conclusion that ingredient of offence of criminal trespass are not made out, does not warrant interferernce in the revisional jurisdiction. This Court cannot reappreciate or reappraise the material and arrive at a different conclusion in limited jurisdiction.

2. Revision application is, therefore, summarily dismissed.

(S.C.DHARMADHIKARI, J.)